

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: C. R. BARD, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2187

THIS DOCUMENT RELATES TO:

Haynes v. C. R. Bard, Inc., et al

Civil Action No. 2:13-cv-24150

ORDER

(Dismissing Defendant C. R. Bard, Inc. without Prejudice
and Transferring Case to MDL 2327)

The defendant C. R. Bard, Inc. (“Bard”) and plaintiff filed a Stipulation of Dismissal Without Prejudice, and Plaintiff’s Motion to Transfer MDLs. [ECF No. 27]. The plaintiff and Bard have stipulated to the dismissal without prejudice of defendant Bard only. The Motion to Transfer seeks an order transferring the case to the appropriate remaining MDL.

The court **ORDERS** that:

- (1) The plaintiff’s Motion to Transfer MDLs is **GRANTED**;
- (2) Defendant Bard is **DISMISSED WITHOUT PREJUDICE** as a defendant in this action;
- (3) this action is **TRANSFERRED** to MDL 2327;
- (4) pursuant to Bard MDL Pretrial Order No 275 as amended by PTO No 283 (Amended

Docket Control Order – C. R. Bard, Inc. Wave 7 Cases), which states the following,

Transfer of any Wave 7 case to any other MDL, whether by ruling upon a motion from plaintiff or defendants or *sua sponte* by the court, does not relieve the plaintiff or any remaining defendant(s) from the deadlines of a Docket Control Order. Any cases transferred into American Medical Systems, Inc. (“AMS”), Boston Scientific Corporation (“BSC”) or Ethicon, Inc. (“Ethicon”) MDLs will immediately be subject to the Docket Control

Order entered in that MDL on January 30, 2018, and any Amended Docket Control Orders[.]

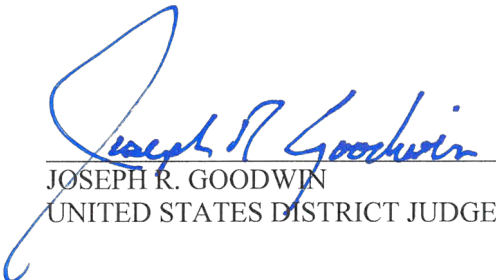
this case, which resided in Bard Wave 7, is now subject to PTO Nos. 280 and 303 entered in MDL 2327; and,

(5) to the extent an Amended Short Form Complaint has not been filed, the court **DIRECTS** plaintiff's counsel to file the appropriate Amended Short Form Complaint if necessary, within two weeks of the date of this Order.

The court **DIRECTS** the Clerk as follows:

- (1) disassociate this civil action as a member case in MDL 2187 and re-associate it with MDL 2327;
- (2) file MDL 2327, PTO Nos 280 and 303 in this case;
- (3) change the 2187 Wave 7 flag to a MDL 2327 Wave 8 flag; and
- (4) file a copy of this order in the individual case.

ENTER: January 15, 2019


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE